

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION

NARCISO FUENTES, individually, on behalf
of others similarly situated, and on behalf of
the general public,

Plaintiff,

vs.

DISH NETWORK, L.L.C.; and DOES 1
through 50, inclusive,

Defendants.

Case No. 4:16-cv-02001-JSW

**JUDGMENT PURSUANT TO
STIPULATION AND COURT ORDER ON
SUMMARY ADJUDICATION**

Action Filed: March 7, 2016

Trial Date: None Set

PURSUANT TO THE PARTIES' STIPULATION AND THE COURT'S ORDERS ON
SUMMARY ADJUDICATION DATED NOVEMBER 15, 2022 AND REMAND DATED
MAY 17, 2023, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT
JUDGMENT BE AND IS HEREBY ENTERED AS FOLLOWS:

1. Judgment is entered in favor of Plaintiff Narciso Fuentes (on an individual basis
only) and against Defendant DISH Network L.L.C. on the First Cause of Action, for Violation of
the Home Solicitation Sales Act, Civil Code § 1689.5 *et seq.*

2. Judgment is entered in favor of Defendant DISH Network L.L.C., and against
Plaintiff Narciso Fuentes, on the Second Cause of Action, for Violation of the California
Translation Act, Civil Code § 1632.

3. Judgment is entered in favor of Plaintiff Narciso Fuentes (on an individual basis
only), and against Defendant DISH Network L.L.C., on that portion of the Third Cause of Action

(for Violation of the Consumer Legal Remedies Act, Civil Code § 1750) based on Civil Code § 1770(a)(14).

4. Judgment is entered in favor of Defendant DISH Network L.L.C., and against Plaintiff Narciso Fuentes, on that portion of the Third Cause of Action (for Violation of the Consumer Legal Remedies Act, Civil Code § 1750) based on Civil Code § 1770(a)(19).

5. Judgment is entered in favor of Plaintiff Narciso Fuentes (on an individual basis only), and against Defendant DISH Network L.L.C., on that portion of the Fourth Cause of Action (for Violation of Business and Professions Code § 17200) based on violations of the HSSA and Civil Code § 1770(a)(14).

6. Judgment is entered in favor of Defendant DISH Network L.L.C., and against Plaintiff Narciso Fuentes, on that portion of the Fourth Cause of Action (for Violation of Business and Professions Code § 17200) based on violations of the CTA and Civil Code § 1770(a)(19).

7. A monetary award, including prejudgment interest and costs, is awarded to Plaintiff Narciso Fuentes and against Defendant DISH Network L.L.C. in the total stipulated amount of Two Thousand Five Hundred Ninety Dollars (\$2,590). The Parties agreed to that amount as a compromise and to avoid further expense. DISH specifically does not waive any rights or defenses that might otherwise be available to it in the future or as to any other subscriber.

8. Except as provided herein, Plaintiff Narciso Fuentes shall take nothing further by the judgment, and no injunctive relief shall issue.

9. This Judgment is rendered based on the Parties' Stipulation for Entry of Judgment and is without prejudice to the appeal rights of the parties.

IT IS SO ORDERED AND FINALLY ADJUDGED.

Dated: _____

Hon. Jeffrey S. White
Judge, United States District Court